

SOME ASPECTS OF THE APPROPRIATION OF PARISH CHURCHES IN MEDIEVAL SCOTLAND

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IT has long been realised that the appropriation of parish churches—a process which involved the diversion of parochial revenues to other religious institutions or persons—was one of the greatest flaws in the structure of the medieval church in Scotland. To modern minds, the practice may, indeed, seem indefensible, but even allowing for the fact that from the medieval standpoint, the system may be partly justified, it is unquestionably true that the evils of the practice, which could not but seriously weaken the structure of the pre-Reformation church, were realised even before the Reformation itself.

As the evils of appropriation have long been recognised, so too has it been accepted that this system was much more widespread in Scotland than in most other countries, Switzerland alone, it has been suggested, possessing a comparable rate of annexations.¹ While it has been agreed, however, that the ratio of appropriated to free parsonages must have been very high in Scotland, all attempts to give any definite set of figures have advanced little beyond the conjecture made by David Masson, that of the nine hundred to one thousand parishes of medieval Scotland, almost seven hundred of these were annexed to some foundation or prebend leaving approximately two hundred and sixty free parsonages.² This, and similar assessments, all had their drawbacks, since it was evident that even allowing for unions, that medieval Scotland possessed more than one thousand parishes, while it was equally difficult to find over two hundred independent parsonages.

Nevertheless, just as the student of the medieval church in Scotland suffered, until quite recently,³ from the lack of a reliable guide to the religious foundations of that period, so too is there no accurate account of the growth of the parochial system in Scotland. Certain parts of the country are indeed better served than others in this respect and two works in particular deserve honourable mention. These works are of course *Caledonia* and *Origines Parochiales Scotiae*. The compiler of the first,

¹ Hartridge, *Vicarages in the Middle Ages*, 95.

² *Reg. of the Privy Council*, (2nd series), I. cxii-iv.

³ Easson, *Medieval Religious Houses—Scotland*.

George Chalmers may well have laboured "under the disadvantages of defective scholarship,"¹ but it is unwise completely to reject this work, which, while maintaining a high accuracy in certain parishes, especially in Ayrshire and the south-west, also embodies several rentals which are no longer extant. Likewise, that other valuable and much more scholarly work, the *Origines Parochiales*, contains rentals, drawn from the Books of Assumption, which are no longer contained either in the National Library or the General Register House copies of these valuations.

Both these works give some indication of the incidence of appropriation in certain areas, but not unnaturally the information available in both these volumes has been vastly supplemented by the large amount of material which has been since made available through the examination of the Vatican archives. Nevertheless, had such works existed for the whole country, it would have been comparatively easy to give some indication of the total number of appropriated churches. In the absence of such works, however, it has been necessary in the past to fall back on lists in volumes, such as Gordon's *Monasticon* or Walcott's *Scoti-Monasticon*, both of which are incomplete, undocumented and wholly unreliable.

It was on such lists that the editors of the *Fasti Ecclesiae Scoticae* appear to have been dependent, and while the supplementary volume does give valuable information on certain parishes, it is again highly selective and no overall picture of appropriations can be gained. Regional studies have of course their importance, but even in this sphere, only too many do little more than to work over older lists and one of the few exceptions to this rule is a recent study of the churches annexed to the Priory of Whithorn.²

It was in the light of this rather unsatisfactory evidence that an attempt has been made to complete a survey of all the parishes of medieval Scotland and in so doing to trace who in the final instance enjoyed the parochial revenues. Such an investigation was further complicated, however, by the fact that in many instances both parsonage and vicarage revenues were diverted from their parish of origin, and this factor, which has largely been ignored in the past and has led to many incongruous statements in previous lists, has in itself proved no mean task.

This study, which at the time of writing is still incomplete, shows that pre-Reformation Scotland possessed at one time almost 1,136 parishes, this figure having been reduced by about 98 due to unions effected before

¹ Innes, *Scotch Legal Antiquities*, 17.

² G. Donaldson, "The Bishops and Priors of Whithorn" in *Trans. Dumfriesshire and Galloway Nat. Hist. and Antiq. Socy.*, 3rd series XXVII, 127ff.

the Reformation. Of the remaining parishes only 148 appear to have been free parsonages and thus 890 or approximately 86 per cent. of the parish churches had their parsonage revenues diverted to some other source, while of these appropriated parishes, it would appear that at least 56 per cent. had their vicarage revenues also annexed.¹

When it is realised that the corresponding rate of annexation in England was but 37 per cent. of the total,² the very magnitude of the figures just quoted can be appreciated. It is obvious that any study of the medieval church in Scotland cannot ignore the study of appropriations, which were in themselves to dominate the organisation of the church for so long and were destined to leave a legacy which successive generations of reformers were to grapple with in an attempt to realise their cherished ideal that each minister should have a stipend derived from the teinds of his own parish.

Any true study of appropriation cannot, however, examine the subject as a purely Scottish question, for, as with other aspects of the medieval church in Scotland, the problem must be first of all placed in its wider European background. Unfortunately, while the implications of appropriation and the establishment of vicarages have attracted considerable attention, the origins and early history of this movement have been inadequately dealt with and a definitive study is urgently required.³

A brief outline of the growth of a movement, whose origins lie on the continent and which apparently reached England and Scotland comparatively late, may however be hazarded. The key to the whole problem would appear to lie in the fact that the organisation of the church before the eleventh century was largely proprietary, that is to say that the authority of the local lay lords over the churches on their lands was almost universal.⁴ To what extent this control involved the lay holding of tithes is a matter of some doubt, but there remains little dubiety that this was quite frequent, as papal condemnations of this practice bear witness.⁵

As a result of such condemnations, we find that from at least the ninth century laymen began to relinquish their churches to some corporation or to a bishop. Such transactions did not in themselves constitute the formal

¹ These figures are drawn from a thesis on the *Appropriation of Parish Churches in Medieval Scotland* to be submitted for the degree of Ph.D. in the University of Edinburgh.

² Hartridge, *Vicarages in the Middle Ages*, 204.

³ Knowles, *The Religious Orders in England*, II. 289-90.

⁴ Pollock and Maitland, *A History of English Law*, 498; Innes, *Scotch Legal Antiquities*, 204.

⁵ Hartridge, *Vicarages in the Middle Ages*, 7-8.

appropriation of parochial revenues, but it is clear that from this period, tithes were being enjoyed by corporations spiritual, who appointed mercenary priests to serve their churches, while in other instances certain colleges of secular clerks, whose organisation was non-monastic, served any churches granted to them, by members of their own community.¹

Both Scotland and England appear to conform to this general pattern, although in neither country did a regular system of appropriation develop until after the Norman Conquest, the practice following the earlier continental practice outlined above. Thus, in Scotland as elsewhere, the early church had been largely proprietary, this in certain instances involving the lifting of ecclesiastical dues by laymen.² Likewise, as we have noted, there existed all over Western Christendom, bodies of secular priests, who had a corporate form distinct from the monastic, from which they might have originated. It is with such bodies that the communities of Culdees were to have been their closest affinity, and it was to such corporations, as is illustrated by the early grants of the churches of Scoonie and Markinch to the Culdees of Loch Leven,³ as well as to monasteries such as Mortlach⁴ and Iona,⁵ that churches were given by laymen as the proprietary church came to be frowned upon by reforming churchmen.

We are now in a position to realise that the case of the church of Ednam, which on its foundation by Thor Longus was immediately conferred upon the monks of St. Cuthbert,⁶ and is frequently cited as a typical case of endowment, followed by immediate appropriation, should not be looked upon as a new phenomenon, but merely the culminating point of a long process, which had already developed elsewhere and was now to be speeded up in England and Scotland by the advent of the Normans. Nor is the case of Ednam typical, as not only were newly built churches given to corporations, but older endowed foundations, to the existence of which the Glasgow Inquest amply testifies,⁷ were transferred from earlier institutions to newly founded corporations, but when they were so transferred, it was with the idea of benefiting these corporations, rather than perhaps the church as hitherto.

¹ Hartridge, *Vicarages in the Middle Ages*, 9-12; Page, "Churches of the Domesday Survey" in *Archaeologia*, Vol. LXVI, 66-7, 102.

² Morgan, "Organisation of the Scottish Church in the Twelfth Century" in *T.R.H.S.* 4th series, Vol. XXIX, 136-7.

³ *Reg. Prior. Sancti Andree*, 116-7.

⁴ *Registrum Episcopatus Aberdonensis*, 1. 6.

⁵ *Lib. S. Crucis*, No. 51.

⁶ Lawrie, *Early Scottish Charters*, No. XXIV.

⁷ *Registrum Episcopatus Glasguensis*, No. 1.

At all times, however, there existed a number of unappropriated churches, which, while ceasing to be proprietary as their lay owners relinquished their tithes, had remained in lay patronage. That is not to say, however, that a complete system of unappropriated churches was ever envisaged, and thus to say with Cosmo Innes that "this goodly framework of a parochial secular establishment was shipwrecked when scarcely formed" is an unnecessary hypothesis.¹

These early annexations of churches to monastic or secular corporations were rudimentary, however, in comparison to the systematised appropriations, which were to take place in the late twelfth century and were to culminate in the establishment of a vicarage system by the decrees of the Fourth Lateran Council.² Before proceeding to an examination of this system, however, it might be advisable to define appropriation in its technical sense. The appropriation of a church involved the transference of the income of the church, derived from its endowed land and its tithes, to the corporation to whom the gift was made. At first laymen seem to have given their churches at will, and although confirmation from a bishop, or even the pope on occasions, was often obtained, it does not appear to have been essential, as was the case later.³ The initial grants undoubtedly vested the endowed lands in the appropriating body, but some doubt may have been occasioned, whether the tithes could be legitimately called just pertinents due to the corporation. If any doubts ever did exist on this score, they were quickly dispelled, in Scotland at least, by the adoption of the formula "*in proprios usus*," the use of which vested all rights in the appropriator. This formula appears quite early in Scotland, Herbert, bishop of Glasgow (1147-64) confirming the church of Lanark to Dryburgh in this way,⁴ but the terminology does not become commonplace until the late twelfth century and thereafter becomes normal.

In the twelfth century, at any rate, too great an emphasis should not be placed upon terms, although undoubtedly distinctions existed in practice and a papal decision in 1204 that the concession of a church to a corporation involved the grant of all the proceeds of that church appears to be at variance with the evidence,⁵ since in many cases little more than the right of presentation was conveyed by a grant. Thus, while the church of Rossie was granted to the Priory of St. Andrews before 1163, the

¹ Innes, *Sketches of Early Scotch History*, 17.

² Hartridge, *Vicarages in the Middle Ages*, 20-1.

³ C. R. Cheney, *Selected Letters of Innocent III*, 74-5.

⁴ Dryburgh, No. 44.

⁵ C. R. Cheney, *Selected Letters of Innocent III*, 75-6.

patronage alone pertained to the Priory until it was confirmed *in proprios usus* in 1240.¹ This is true also of other churches held by the Priory and a Bull of 1246 draws a clear distinction between churches held with their pertinents and those in which the patronage alone was held, although no significant difference can be discerned in the original grants.²

As a result of such distinctions becoming apparent, corporations soon began to exercise great ingenuity to change grants of patronage into ones of *in proprios usus*, although even where this was not immediately achieved it is obvious that nominees were often bargained with as to the division of fruits, those presentees becoming little more than mercenary priests, as can be seen in the injunction of Pope Innocent III to the bishop of St. Andrews in 1199.³

In appropriated churches in particular, the use of mercenary priests appears to have been quite commonplace and no vicarage system is at first discernable. Churches appear to have been left without priests and others were served by monks, in spite of their vows, or with more justification by canons regular. A systematic method of serving parish churches was gradually evolved however, and it was this process which was to culminate in the decree of the Fourth Lateran Council of 1215 that "as he who serves of the altar should live of the altar . . . a sufficient portion be assigned for the priest."⁴ Where possible the rector was to reside and officiate but where this was impossible a perpetual vicar was to be canonically instituted, who should have a fit portion of the profits of the church.⁵

This no doubt merely canonised a system which had been slowly evolving and it should not be imagined that the vicar-perpetual owes his existence to this decree, but was rather a gradual creation accepted as the solution, which would prove less harmful to the spiritual welfare of the parishes than a series of anomalous local solutions.

The development of a vicarage system in Scotland was closely influenced by those general trends. An attempt to limit, or at least regulate appropriation, is seen in a monition of Pope Lucius III to Joceline, bishop of Glasgow (1181 x 85), which declared "that it is unlawful for the religious, dwelling in your diocese to hold any parish church in their hand when it

¹ *Reg. Prior. Sancti Andree*, 55, 126, 200; *Spalding Club Misc II*, 317-8; *Nat. Lib. Scot*, MS. 15.1.19, No. 5.

² *Reg. Prior. Sancti Andree*, 92-3.

³ Migne, *Regesta-Innocent III*, 1. 542.

⁴ Canon 32, cited Hartridge, *Vicarages in the Middle Ages*, 20-1.

⁵ *Ibid.*

falls vacant or to institute perpetual vicars in any such without your consent.”¹ Gradually the position reached that canonised in 1215 although already in 1201, the bishop of Glasgow had demanded that perpetual vicars should be instituted in parish churches annexed to Kelso,² while a little later, it was agreed that succeeding vicars should be ordained by the bishop and a reasonable portion should be set aside for them.³

Nevertheless, it is only after 1215 that the full results of this process can be seen in the large numbers of vicarage settlements which took place within a few years of this date. Thus, in 1220 a settlement was reached between the bishop of Glasgow and Jedburgh,⁴ while a similar agreement took place with Paisley in 1227.⁵ Other bishops were no less idle, the bishop of Aberdeen reached agreement with Lindores in 1250 over churches held in that diocese,⁶ while the bishop of St. Andrews made settlements with Dryburgh in 1268.⁷ Other agreements were similarly made and the erection of perpetual vicarages would appear to have been widespread, the earlier practice of serving churches by stipendiary priests apparently having ceased, while the service of churches by regulars would also appear to have been curtailed, although it is doubtful whether this practice entirely ceased, as even in the 1268 agreement with Dryburgh by which Bishop Gamelin made provision for secular vicars to serve in churches which the canons had previously served, he stipulated that should these secular vicars give trouble to the abbey, they might be replaced by canons regular.⁸

The general canons of the church, moreover, came to be supplemented by the enactments of the Scottish church itself. Thus in the Aberdeen Statutes, “Let him that has a parish church hereafter serve it in his own person . . . unless he have already a vicar canonically instituted in the same,” while other statutes legislate on residence and emoluments.⁹ While the frequency of such statutes raises doubts as to their effectiveness, it appears that during the thirteenth century at least, the Scottish bishops did proceed apace with vicarage ordinations, but this was to become increasingly less effective in the fourteenth century as a result of privileges, exemptions and vicarage appropriations.

¹ *Registrum Episcopatus Glasguensis*, No 60

² *Calchou*, No 427

³ *Ibid*, No 422

⁴ *Registrum Episcopatus Glasguensis*, No 114

⁵ *Passelet*, 318-23

Registrum Episcopatus Aberdonensis, I 23-6

⁷ *Dryburgh*, Nos 40-1

⁸ *Dryburgh*, No 40

Patrick, *Statutes of the Scottish Church*, 43, 66

Even during the thirteenth century, however, the practice of serving churches by mercenary priests never died out. Thus, while it was decreed by the Scottish church that vicars' portions should at least amount to ten marks, yet it was thought fit that "... no chaplain, whether hired for wages or having a parochial appointment, shall demand or receive for his services during a year, a stipulated sum above a hundred shillings."¹ While such chaplains may not have been common in parochial cures during the thirteenth century, individual cases do occur, such as that in 1251 when Bishop David de Bernham allowed the monks of Kelso to serve their church of Semprisk, not by a vicar, but by a decent chaplain,² and other cases could be cited.

Such cases were, however, the exception rather than the rule in the thirteenth century and it was only in the following century that service by mercenary priests was again reverted to, with the now essential difference that this practice also became systematised and even the vicar had at least security of tenure in most cases.

It may be appropriate at this point to examine the various types of vicarages which might be ordained. The most common type was, as we have seen, the vicarage perpetual, the holder of which according to the Fourth Lateran Council should have a "fit portion of the profits of the church."³ In such instances it is frequently asserted that the usual form of vicarage settlement was that in which the garbal teinds were assigned to the rector and the lesser teinds were set aside as the vicar's. Such cases do arise, such as at Duffus in 1238,⁴ but in very few instances however does the vicarage settlement take the form of a simple division between the "decimae garbales" and the "decimae foeni." In many cases, however, the modifications were slight and the broad generalisation can be justified. Thus, in the settlement of the church of Inverness, which was annexed to Arbroath, the vicar was to have the lesser tithes, while the "rector" was to have the garbal teinds, but the latter was also to have the whole lands of the church, the tithes of mills and herrings and three marks from the Easter offerings.⁵ On the other hand Abbot and Convent were to be responsible for all episcopal dues, so presumably the extra concessions were meant to balance this concession. Again where any part of the vicarage or lesser teinds, and the two terms did become synonymous, was of exceptional value, it was usually claimed by the rector. Thus, in a settlement made in

¹ Patrick, *Statutes of the Scottish Church*, 11-12, 53

² *Calchou*, No 432

³ Canon 32, cited Hartridge, *Vicarages in the Middle Ages*, 21

⁴ *Registrum Episcopatus Moraviensis*, No 212

⁵ *Ibid*, No 214

the mid-thirteenth century over the church of Abertarf, annexed to Beaulieu, the tithes of salmon were specified as pertaining to the priory,¹ who successfully defended their rights against a vicar in 1340.²

In certain instances, however, a certain part of the vicarage teinds which do not appear to have had especial importance, apart from that of adding to the share of the appropriator, were excluded from the vicar's portion and in such instances the cure was technically a vicarage portionary, the excepted teinds in many such cases being the teind of wool and of lambs.³

The arrangements with regard to the division of teinds between vicar and rector were therefore far from static, and every type of division took place, as could only be naturally expected, for, as the economic conditions varied from region to region, so did the worth of any particular part of the teinds and hence the multiplicity of arrangements.

Some vicarages were treated generously however, as is seen in an agreement of 1249 between Bishop David de Bernham and the Abbey of Arbroath.⁴ If, on the other hand, certain examples of poorly endowed vicarages can be seen in thirteenth century taxation rolls, this is probably due to the fact that even at this early date, vicarage teinds were also being annexed to appropriating bodies. In this instance, the initial trend would appear to be evident in the creation of prebends, rather than in annexation to religious houses, and this side of the picture, which has largely been neglected in the past, requires close examination.

The erection of cathedral chapters followed closely upon the restoration of bishop's sees by David I, and while this organisation must have been of a very rudimentary type in most dioceses, the bishops of Glasgow were not long in establishing a chapter, the canons of which were endowed with the revenues from parish churches. The erection of Govan (1147 x 64) is frequently cited as the earliest establishment of a prebend, but it is adequately clear that Bishop Herbert was but supplementing the work of John, bishop of Glasgow, who had established several prebends, including those of Glasgow, Renfrew and Hamilton.⁵

No such evidence exists at other cathedral churches, although the confirmation by Pope Adrian IV in 1157 to the bishop of Aberdeen of a large number of churches contained authority to institute a chapter,⁶ the

¹ *Beaulieu*, 38-9

² *Ibid.*, 87

³ *St Andrews Formulare*, No 133

⁴ *Aberbrothoc*, 1 No 236

⁵ *Registrum Episcopatus Glasguensis*, Nos 7 28

⁶ *Registrum Episcopatus Aberdonensis*, 1 6

erection of which was completed by 1256, many of these churches by then appearing as prebends.¹

Originally, however, chapters appear to have been small, and this is amply demonstrated in the case of Ross, the bishop of which received permission in 1236 to supplement the meagre revenues of the prebends and institute new ones.² There is no indication from what sources these incomes were drawn, but it would appear likely from later evidence, that the original chapters were maintained from the revenues of the parish in which the cathedral church lay. It is significant that the dignitaries of Ross and Caithness continued, with certain augmentation, to be maintained in this way,³ while in the later erection of Lismore, the dignitaries also quartered the revenues of that parish, while the archdeacon had one quarter of the revenues of the neighbouring parish of Elanmunde.⁴

In the main, such churches were at the bishop's disposal, either because they lay within lands pertaining to the bishopric, or, as in the case of other appropriated churches, they had been granted to the bishop by some layman. Normally the patronage was conveyed to the bishop along with any more tangible assets, which might have been enjoyed by the lay patron.⁵ In such cases, the patronage of the newly erected prebend was normally retained by the bishop, this being seen in the cited instances of Renfrew, Govan and Glasgow, while likewise the early erections at Aberdeen and Ross would appear to have remained in the bishop's patronage. Nevertheless, even from the earliest days, the prebends so erected appear to have occasionally remained within lay patronage, this being particularly evident in the erection of the chapter of Moray, where the family of Moravia retained the patronage of many of the churches granted for erection as prebends.⁶

In such instances, the patron actually gained by his seemingly generous act, and while these cases appear to have been rare, they became increasingly common after the fourteenth century. Of the six new prebends of Glasgow erected by Bishop John Cameron, c. 1430, all were within lay patronage and so continued.⁷ Much more important, however, from the point of view of appropriation, was the fact that from the earliest such

¹ *Registrum Episcopatus Aberdonensis*, II. 39-40.

² Theiner, *Vet Monumenta*, No lxxx

³ *Bannatyne Misc*, III 17-21; Theiner, *Vet Monumenta*, No clxxxii

⁴ *Origines Parochiales*, II I 159, 165-6, 170

⁵ *Registrum Episcopatus Glasguensis*, Nos 6-7

⁶ *Registrum Episcopatus Moraviensis*, Nos 31, 61, 67

⁷ *Registrum Episcopatus Glasguensis*, No 340

erections, it became common to annex both parsonage and vicarage fruits to the newly erected prebend.¹

It would thus appear, that the establishment of a vicarage system was in many instances undermined by the actions of the bishops themselves, the cure in such cases being served either by a chaplain, or, as was more commonly the case, by a vicar-pensioner.

Nevertheless, the vicarage system as a whole would appear to have stood firm until the dual effect of the Schism and the Wars of Independence was to bring forth a spate of vicarage appropriations, and these were now to continue unchecked until the Reformation. As we have seen, the appropriation of both parsonage and vicarage teinds to a prebend was nothing new, and although not previously unknown to monastic foundations,² it was only to become common practice in the fourteenth century.

Thus, in 1421, Iona petitioned to annex to itself "three perpetual vicarages,"³ Kilwinning received the vicarages of Beith and Kilmarnock in the late thirteenth century,⁴ while in the fifteenth century, Kelso attempted to annex the vicarages of Selkirk and Innerleithan.⁵

Such cases could be multiplied time and time again, and these were undoubtedly much more numerous than the otherwise much more spectacular grants of vicarages to corporations or institutions other than the body which held the parsonage revenues. Such annexations are most easily seen in the erection of collegiate churches where the parsonage revenues were already annexed to other corporations. This is the case at Crail,⁶ Hamilton⁷ and Peebles,⁸ but in other instances vicarages of annexed churches were erected into prebends of the Cathedrals of Dunblane and Dunkeld,⁹ while the vicarage of Glasgow was erected into the prebend of Glasgow Secundo at some date before 1401.¹⁰ Likewise, five vicarages were appropriated, although in some cases apparently unsuccessfully, to the University of Glasgow in 1506 and 1537,¹¹ the vicarage of Tullynesil was

¹ *Registrum Episcopatus Aberdonensis*, II 39-40; *Bannatyne Misc*, III 18-19

² *Calchou*, No 432; *Lib S Crucis*, No 75

³ *Scottish Supplications to Rome*, Vol 1, 271-2

⁴ *CPR*,—*Letters*, II 310-11, 383; Theiner, *Vet Monumenta*, Nos cccclxxxvii, diii

⁵ *Scottish Benefices*, 123; *CPR*,—*Letters* IX 452-3; X 310

⁶ *Reg Coll Ch of Crail*, No 102

⁷ Theiner, *Vet Monumenta*, No dcclvii

⁸ PRO, 31/9-33, *Diversorum*, Paul III (1541-2) fo 160

⁹ Reg of Supplications, 587, fo 227v; Reg of Pres I fo 94; Books of Assumption (GRH) fo 296v

¹⁰ *Registrum Episcopatus Glasguensis*, No 320

¹¹ *Munimenta Alm Univ Glasg* I 42, 493-5

annexed to King's College, Aberdeen in the reign of James IV,¹ and that of Dalry, of which the parsonage was annexed to Kilwinning, was erected into the provostry of the college of the Blessed Virgin Mary in Glasgow in 1532.²

The direct result of such annexations was a further lowering in the status of the vicar serving a parochial cure. Ten pounds is a common figure in the erection of such vicarages pensionary, and while this compares favourably with certain valuations of an earlier age, it must be remembered that inflation had considerably lowered monetary values. As in the cases of perpetual vicarages, there was considerable fluctuation in the value of such erections, twenty marks being thought fit in 1549,³ while for most dioceses this had been increased to twenty-four marks in 1558/59,⁴ but this ideal appears to have been far from realisation. In all cases, however, the one certainty was that the "rector" was receiving a huge percentage of the total revenues. This is well seen in the case of Lasswade, which was, at one time, a prebend of St. Salvators. The total revenues of the church were worth at least £150 and yet the poor and the vicar pensioner were assigned only £20 apiece, plus five marks for a mass, so the prebendary, taking all burdens into account, was collecting at least two thirds of the total revenue.⁵

In most cases, however, it is difficult to assess precisely the emoluments which the vicars were in fact receiving, as this was dependent upon the burdens which they were expected to meet from their own resources, while these were largely supplemented by offerings and other dues. On occasions, the vicar was relieved of all burdens, except the synodals, and this appears to have been generally so when the cure was a vicarage pensionary of small value.⁶ In other cases, perpetual vicarages and larger pensionary vicarages, the synodals and procurations, both of the bishop and archdeacon, had normally to be met by the vicar,⁷ one of whom complained in 1437 that payment was being compelled without a personal visitation taking place, and he further supplicated that, should such visitations take place, he should not be bound to pay in money but only in food and drink.⁸ Nevertheless, where vicarages were perpetual, it appears certain that such

¹ *Fasti Aberdonenses*, Nos 104, 110

² *Lib Coll Nostre Domine*, 6-13

³ Patrick, *Statutes of the Scottish Church*, 112

⁴ *Ibid*, 169-70

⁵ Theiner, *Vet Monumenta*, Nos dcccclxiv-dcccclxviii

⁶ *Cambuskenneth*, No 67; *Registrum Episcopatus Brechinensis*, No 94; *Registrum Episcopatus Glasguensis*, No 114

⁷ *Aberbrothoc*, I No 236; *CPR,—Letters*, IV 225; *Registrum Episcopatus Aberdonensis*, I 99-101

⁸ Reg of Supplications, 332, fo 13v (notes supplied by Dr. A. I. Dunlop)

dues were paid by the vicar. On the other hand, the greater part of the extraordinary burdens, which were seldom explicitly defined, would appear to have been borne by the rector,¹ although a common stipulation to be found is such as that imposed upon the vicar pensioner of Fossoway, who had to pay his *pro rata* share of the extraordinary burdens.²

A burden which bore heavily upon all vicars was that of the upkeep of their manse, this being stipulated in a thirteenth century statute.³ Likewise, it would appear that vicars were responsible for a portion of the fabric of the chancels of their churches, although the actual repair of the chancel pertained to the rector.⁴ The burden of repairing churches was frequently neglected, however, since many rectors would not, while vicars and parishioners could not, effect repairs. Efforts were made from time to time to enforce such obligations and in the mid-fourteenth century the bishop of Argyll is found sequestrating the fruits of three churches in his diocese belonging to Paisley, due to non-repair,⁵ while in the same diocese a local landowner required a notarial instrument in 1549 to the effect that the parishioners of Inverchaolan "wad nocht ansuer Schir Robert Maxval, vyker, of the fruttis, or to the tyme at he mendit his part of the kyrk and vestementtis of the said kyrk pertenand to his part, the quhilk the sayd Schir Robert was content to at he aucht to do sa sane as he culd get knowlege quhat he awcht to do to his part of the kyrk."⁶ As a result of such wrangling and attempts to get out of certain obligations, many churches fell into disrepair, the churches in the Merse, which had admittedly suffered the ravages of war, being the supreme example of such neglect,⁷ but even unappropriated churches, such as Dalry in 1428,⁸ were cited as in ill repair, while a later pluralist rector of that church was, in 1545, sued by masons for not building an aisle in Dysart,⁹ Not all incumbents avoided their responsibilities, however, and the churches in the Merse appear to present too bleak a picture. The mensal churches of the bishop of Dunkeld appear to have been well looked after,¹⁰ while of the monastic rectors, even Arbroath is to be found employing a carpenter in

¹ *St Andrews Formulare*, No 358

² *Coupar Angus*, No CIII; *Registrum Episcopatus Aberdonensis*, I 23, 25-6

³ Patrick, *Statutes of the Scottish Church*, 12

⁴ *Ibid*, 10, 58, 119, 168

⁵ *Passelet*, 145-7, 152-6

⁶ Prot. Bk. of Sir John Crawford, (MSS—GRH), fo 41a

⁷ GRH Ecclesiastical Documents, No 8

⁸ *Scottish Supplications to Rome*, II 216

⁹ *Prot Bk. of Thomas Johnsoun*, No 345

¹⁰ *Rentale Dunkeldense*, 91-2, 109, 148, 231, 259

1474, who might repair their churches,¹ although on the reverse side the same abbey had been accused, only eleven years previously, of neglecting to repair its churches in the diocese of Aberdeen.²

Another detrimental effect, which the Wars of Independence and the Schism had upon Scottish vicarages, was to be seen in the revival of the practice of serving parish churches by regulars. This practice was, it would appear, prevalent in the twelfth century, but with the decree of the Fourth Lateran Council in 1215, the balance swung in favour of the secular clergy, although many vicarage settlements, especially in the fourteenth century, contained the loophole by which seculars might again be replaced by regulars, and indeed this practice never appears to have been entirely superseded in Scotland.³ The advantage is obvious, namely that the monastery might convert the whole revenues of a parish to its own uses, although, in such instances, no formal vicarage annexation took place. It was, of course, to the canons regular, in whom the function of priesthood was frequently stressed at the expense of their monasticism, that such dispensations were commonly given, and such service was to continue until the Reformation, although the practice would again seem to have been on the wane in the sixteenth century.⁴

At first, some attempt would seem to have been made to preserve some aspect of the communal life by providing that a canon, exercising the cure of souls, should be accompanied by some of his fellows,⁵ and as late as 1356, the church of Whitekirk, annexed to Holyrood, appears to have been served by two canons, who in that year were carried off by the English.⁶ Nevertheless, it would appear that, from an early date, this proviso was largely neglected, but a condition which was more frequently honoured would appear to have been that laid down by Bishop David de Bernham in 1242, that in each church so served there was to be "some secular priest of good repute . . . by whose assistance the vicar may be relieved and aided."⁷ The existence of such an assistant would explain certain anomalies, especially in cases where the churches to be served lay at a great distance from the appropriating house, it being equally certain that a man such as John Makaw, Archdeacon of Lismore and vicar of Urr,⁸ did not

¹ *Aberbrothoc*, II No 192

² *CPR*,—*Letters*, XI 643-4, 665-8

³ *Dryburgh*, No 38; *Scottish Supplications to Rome*, I 195

⁴ The parishes of Barra, Gullane, Lanark and Tranent, all at one time served by canons regular, appear to have been served by seculars at the Reformation.

⁵ *Reg Prior Sancti Andree*, 61, 70, 75, 79

⁶ *Scotichronicon*, Lib XIV cap XIII, XIV

⁷ *Dryburgh*, Nos 38-9

⁸ *Prot Bk of John Robeson*, (GRH), 569

serve his cure in person, while at a slightly later date, a canon-vicar of Urr is found in spiritual charge of Holyrood.¹ Nevertheless, it would appear from other examples that a canon was in fact serving in person, although not without difficulties, for one at least, the vicar of Balmaghie, resigned his cure because he could not live therein, as a good catholic and religious man.²

While it may be true to say that such parishes were certainly no worse off than those served by secular priests, the practice was most certainly open to attack, such onslaughts mainly coming from the secular priests themselves, who found ready support from both bishops and influential laymen. Thus the vicarage of Dalgety, served by a canon of Inchcolm in the fifteenth century, was the scene of a protracted struggle between the abbey and the bishop of Dunkeld, whose cause eventually seems to have triumphed.³ Such intrusions by secular priests, into charges normally served by regulars, appears to have been fairly frequent, and such unedifying struggles, which it is only fair to say also took place on many occasions between two secular priests, could hardly have had anything but detrimental results on the parish itself. One further case of particular interest might be cited, however, the church in this instance being that of Holy Trinity, St. Andrews, which having been transferred to its present site by William Lindsay, Lord of Byres, with the consent of the priory of St. Andrews, his son, John Lindsay, wished to convert into a collegiate church. This attempt failed, possibly because John wished the patronage transferred to himself, but what is of more import, in spite of the fact that supplications are notoriously unreliable, is that one of the reasons advanced for making this change was that, while the chaplains were seculars the vicar was a canon regular and discords arose daily in canonical hours and services.⁴

While the service of churches by canons regular could be justified, the service of churches by monks was much less in order and such cases are rather infrequent. Nevertheless, they do occur, the Cistercians in particular being given to this practice. Thus, the church of Kirkgunzeon had been served before the Schism by a monk from Holmcultram,⁵ while the abbey of Sweetheart was allowed in 1277 to serve the parish in which it stood—Lochkinderloch—by one of its own number, this practice con-

¹ GRH. Ch. No. 1749 (a).

² *Prot Bk. of James Young*, No 859

³ *Scottish Supplications to Rome*, I 195; *Inchcolm*, Nos XLVI, LXVI and n

⁴ *Reg of Supplications*, 286, fo 221 (notes supplied by Dr. A. I. Dunlop).

⁵ *CPR*,—*Petitions*, I. 576.

tinuing at the Reformation.¹ In this concession, one can discern the key to the problem of service by monks, since such concessions normally apply to the parish in which the house itself stood. Thus, Cistercians appear to have served at Balmerino, Culross, Dundrennan, Glenluce and Melrose, to cite only a few such cases.² Similarly with the Benedictines, the sacristans of Dunfermline and Coldingham were vicars of their respective parochial charges,³ while amongst other orders, a monk of Lindores served its parish of Abdie⁴ and monks of Ardchattan served their own parish church.⁵

Such cases were exceptional, however, and are comparatively few in number when compared with the number served by canons-regular. In such cases, as has been pointed out, all the fruits of the benefice were now available to the appropriating body, but it is not clear how such revenues were disbursed, and how the canon who served was rewarded. While in certain instances, only a pension was being paid, one such canon complaining in 1447 that he only received three pounds per year for his cure,⁶ it is equally clear that in other instances the entire vicarage fruits were being granted to the canon, this being evident from the Books of Assumption in which vicarage valuations are being given up by individual canons and not by the corporation.⁷ On the other hand, a fifteenth century supplication stipulates that such canons were receiving part of the fruits and such a compromise was possibly the norm.⁸

The evil effects which sprang from such annexations, both of churches in the first instance, and of vicarages in the second, were apparent to all and the consequent appointments of vicars, whether regular or secular, were of such low quality that no-one could be unaware of the harm caused by the policy of appropriation. Attempts were, in fact, made from time to time to limit annexations but none were successful. On the part of the Papacy, while the practice sprang up that unions confirmed by one pope, which had not yet become effective at his death, were rescinded, this was not so much an attempt to limit appropriation, although in certain cases it had this effect, but rather a move to benefit the Apostolic Camera.⁹

¹ GRH., Vat. Trans. II. No. 10; CPR,—*Letters*, IV. 251.

² RSS, lxii, fo. 188v; *Melrose*, No. 496.

³ *Dunfermelyn*, No. 446; *Reg. of Privy Council*, I. 246-7; *Reg. of Supplications* 263, fo. 134v (notes supplied by Dr. A. I. Dunlop).

⁴ *Reg. of Pres.* II. fo. 162.

⁵ *Scottish Supplications to Rome*, I. 174.

⁶ CPR,—*Letters*, X. 275.

⁷ Books of Assumption, (GRH), fo. 101v, 119.

⁸ *Reg. of Supplications*, 659, fo. 62v (notes supplied by Dr. A. I. Dunlop).

⁹ CPR—*Letters*, IV 180; GRH, Vat Trans II No 6

Bishops also, on occasions, wished to limit annexations and we find James Kennedy, bishop of St. Andrews, being allowed by the Papacy to annul unions in his diocese, which had not yet taken effect, but here again there was a hidden motive, it being on this occasion that the bishop might confer such benefices on scholars, who likewise would have been absentees.¹

The secular arm also came to dislike appropriation, mainly because the system undermined the rights of lay patrons, although in this respect it is becoming increasingly evident in the fifteenth century that where the lay patron was strong enough, the annexations could not take place. Thus, Herries of Kirkgunzeon successfully resisted attempts in 1445 to annex that church to the Archdeaconry of Teviotdale,² while earlier the Stewarts of Dalswinton had thwarted the Abbot of Arbroath over their church of Kirkmaho, which they proceeded to have erected into a prebend of Glasgow Cathedral.³

Legislation was, indeed, passed in 1471 that such unions were to cease,⁴ one exception being significantly allowed. This was, of course, to collegiate churches, to the erection of which, at this period, temporal lords were much addicted. Certainly, they lost little themselves by such erections, the patronage normally remaining in their own hands. Once again, it is the parish which suffers, its emoluments being diverted to a quite alien purpose. The erection of such colleges continues until the very eve of the Reformation, but in the sixteenth century the great spate of annexations was to be to the academic colleges, both at Aberdeen and St. Andrews vast endowments being granted, while Glasgow University also received its share.⁵ Here again, interested parties defended the practice, of which the most surprisingly was to be the General Assembly of the Church itself. This arose over the church of Tarvit, which had the doubtful distinction of being the last appropriation to take place in pre-Reformation Scotland. This annexation, which had taken place on 31st March, 1558, was not unnaturally questioned after the Reformation, the General Assembly in 1568 appointing a commission to decide between the minister of Coupar and New College (i.e., St. Mary's College, St. Andrews) "anent ther pretendit right of parsanage of Tarvot," but three days later a decision was given in favour of the masters of the College, undoubtedly because of its educational nature.⁶

¹ Theiner, *Vet Monumenta*, No dcclx

² Reg of Supplications, 407, fo 197v; 412, fo 144v; 468, fo 249 (notes supplied by Dr A I Dunlop)

³ *Registrum Episcopatus Glasguensis*, No. 340; G R.H. Vat. Trans., II. No. 81; *Scottish Supplications to Rome*, I. 155; *Aberbrothoc*, I. Nos. 279-82.

⁴ *A.P.S.*, II. 99, 209.

⁵ *Fasti Aberdonenses*, Nos. 5, 57; *Univ. Comm. Rept. (St. Andrews)*, 357-8; *Munimenta Alm. Univ. Glasg.* I. 42, 493-5.

⁶ *Univ. Comm. Rept. (St. Andrews)*, 366-7.

It is evident from all the foregoing evidence that the encroachment of the religious foundations, whether they be monastic, collegiate or cathedral dignitaries, upon the parishes was for the good of no-one but themselves. The appropriators thought only of their financial difficulties, and gave no heed to the needs of the parish from which they diverted as much of the total revenues as possible. The poor were neglected, as was the spiritual welfare of the parishioners, and it is obvious from a study of vicarage valuations that a vicar, even had he been so minded, had scarcely sufficient to meet his own needs, far less to help the poor and sick of his flock. The type of vicar attracted by such pittances was obviously low, and it is to the repugnance created by these worthless creatures that the Reformation owes much of its strength. It should not be assumed, however, that where a parish was unappropriated, and these were few enough, everything was equally bright. There is nothing to suggest that the rectors of unappropriated churches were more assiduous in their duties than the worthless vicars, and indeed, it would appear from rentals, that in most free parsonages the actual work was done by a vicar-pensioner.¹

As a result of such a state of affairs, literacy was low amongst the incumbents of parishes, whether they were appropriated or not, while negligence and immorality appear, as attested by observers and statutes of the church itself, to have been rampant.² As such vices were not by any means confined to vicars, however, they cannot be entirely put down to appropriation, though they can in the sense that, at one level, the annexation of churches provided the revenues to keep idle prelates from their duties and so discourage diligence, morality and education, while at the other end of the scale, the diversion of fruits from the parishes did not leave enough to the vicars to allow them to cultivate these virtues.

The ill effects of appropriation upon the parishioners did not stop at mere negligence, however, and took in many instances much more positive forms. Nowhere is this more evident than in regard to the obventions, oblations and mortuaries. These offerings in nearly all instances belonged to the "curatus" in the parish and in many cases supplied a substantial part of the vicar's income. Individual instances do occur in which the vicar does not receive certain of these dues, but this appears to have been exceptional. Thus, the dean of the Collegiate Church of Dunbar was to receive the altar dues of Whittingehame, while a vicar-pensioner received ten marks, but as a rule offerings appear to have remained with the

¹ Books of Assumption, (G.R.H.), fo. 413; *R.M.S.*, IV. No. 2789; Galloway Charters, No. 65.

² Pollen, *Papal Negotiations with Queen Mary*, (S.H.S.), 127, 525-8; Patrick, *Statutes of the Scottish Church*, 89-90, 111, 168-9.

incumbent.¹ Mortuaries were rather different and at Foulis annexed to Inchaffray, the abbot was to have the mortuaries "sana et integra" while the vicar was to have those "divisa et non integra,"² while at Linlithgow the kirk-cow was singled out as belonging to the Priory of St. Andrews, all other mortuaries falling to the vicar.³

It appears safe to say, however, that in the majority of cases such dues belonged to "the curatus," and formed a substantial part of his income, this normally being about one third of its total value, this being specifically stated at Dreghorn where the corsresents, uest clathes and fines came to one third of the total value,⁴ while at Keith it was stated that such revenues were the "maist part of the profite" of the vicarage.⁵

Since these dues did in the main belong to the vicar, it is obvious that it was from this source of revenue alone that he could increase his stipend and the temptation to do this obviously became greater, as the exactions of the appropriator became harder and inflation more rapid. The rapacity of the vicar is equally attested to in contemporary satire and the General Councils of the Church, who on the eve of the Reformation attempted to modify the practice.⁶ The attempt came too late, however, and there is little doubt that the new faith gained much of its support due to discontent engendered by such impositions.

This financial rapacity, coupled with a neglect of souls in the parish, which should as a unit have been the bulwark of the establishment, is the greatest indictment of the medieval church. Monastic foundations, cathedral chapters, collegiate churches and even universities, all played a dishonourable part in robbing the parish endowments to serve their own ends, this in the first instance entailing the appropriation of parsonage revenues, to which, wherever possible, were added the revenues of the vicarages themselves. The vicars, who were presented to the cure of souls, were inadequately endowed from the beginning and their position became even more precarious with the establishment of vicarages pensionary, upon which inflation was to react with disastrous results.

¹ S.H.S. Misc. VI, 92; *Thirds of Benefices*, 156; Patrick, *Statutes of the Scottish Church*, 185-6.

² *Inchaffray*, No. CL.

³ *Reg. Prior. Sancti Andree*, 159.

⁴ MS. Rental Book, fo. 65, cited Chalmers, *Caledonia*, VI. 549.

⁵ *Registrum Episcopatus Moraviensis*, No 447.

⁶ Patrick, *Statutes of the Scottish Church*, 185; Lindsay, *Works*, (S T S), II. 197-8

Everywhere burdens upon the vicars increased, until they were unable to cope with them, while avaricious rectors pressed their privileges to the utmost. The decline of the vicarage system, was accelerated by war and schism and in turn this led to a general degradation throughout the church. A canker ate through the whole body spiritual, and a greedy, grasping, immoral spirit was engendered, which found an outlet in the self-seeking struggle for benefices and positions. The vicars, who did not possess the same opportunities as the great ecclesiastics for such pickings, mulcted instead their parishioners, whose souls they should have saved. The system of appropriation by building up the wealth of the ecclesiastical foundation to the detriment of the parish and its curatus undoubtedly played a major part in the downfall of the pre-Reformation church and nowhere can this be said with more evident truth than in Scotland in which there existed an apparently unparalleled number of such annexations.